Developing a Constitution & By-Laws for the Local Church

You may wish to use the sample that follows as a guide in developing your church constitution and by-laws. This sample has been compiled from those in use by a number of churches over the past several years. Improve it, change it, and use it any way that works for your church.

You will want to pull together a committee or team to work through this process. The committee or team should be widely representative of your congregation. This is an important assignment and should not be rushed. Prayerful consideration should be given to what should go into the constitution and by-laws, and what should be omitted.

It is best to prepare these documents when the church is in harmony, with no major crisis on the horizon. Churches tend to deal with issues in the constitution and by-laws when they have just gone through a conflict and feel the urgency to "fix" something so they will never have that problem again. Churches cannot develop an adequate constitution and by-laws under stress and disharmony. The experience should be a positive educational process for the members of the committee or team, and for the church membership.

Make the documents positive instruments to enable the church to go about its work in an orderly manner. Avoid making them appear to be negative reactions to church crises.

Try to keep the constitution and by-laws as simple as possible. Avoid complicated statements that are easily misunderstood. This is not easy to do; but it is possible with care. This will also help the church to avoid unnecessary conflict in the future.

Keep the constitution and by-laws up to date. They should be working documents, not items for the archives only. Provide for their periodic review and essential modification.

When the church has made its decision about the proposed documents, dismiss the special committee or team with the thanks of the church for their good work. Once the documents have been approved the work of the committee or team is complete.

Remember, this is only a guide! Adjust the language and content to fit your congregation.

NOTES in blue within the document are not a part of the document, only suggestions and emphasis.

Sample Constitution
And By-Laws

Preamble

We, the members of _____ _____ Church of _____, _____, do hereby declare and establish this Constitution to preserve and secure the principles of our faith and to govern the body in an orderly manner, to maintain the autonomy of this church in freedom of action in relation to other churches and organizations.

Article One
NAME

This body shall be know as the _____ Church of _____, located at _____, _____, Texas.

Article Two
OBJECTIVES

To be a dynamic spiritual organism empowered by the Holy Spirit to communicate the Good News of salvation through faith in Jesus Christ with as many people as possible in our church, community, and throughout the world, which is the mission of this church.
To be a worshiping fellowship, experiencing an awareness of God, recognizing His person, and responding in obedience to his leadership, .to experience an increasingly meaningful fellowship with God and fellow believers, to help people experience a growing knowledge of god and man.
To be a church that ministers unselfishly to persons in the community and the world in Jesus' name. To be a church whose purpose is to be Christlike in our daily living by emphasizing total commitment of life, personality, and possessions to the lordship of Christ.

Article Three
PRINCIPLES OF FAITH

We affirm that the Holy Bible is God's revelation to mankind, and that it is inspired by God, it is without error [in the original manuscripts], it is an accurate record of the history and future of mankind, and that it depicts the birth, life, death and resurrection of the Savior of all mankind, our Lord Jesus Christ, and is therefore the sole basis for our faith.

We regard the scriptures of the Holy Bible as authoritative in all matters of faith, practice, and

principle. This church has affirms as our doctrinal statement *The Baptist Faith and Message* as adopted by the Southern Baptist Convention in 1963.
(NOTE: some churches may choose to list both the 1963 and the 2000 BF&M, or omit this affirmation altogether.)
The ordinances of the church are baptism and the Lord's Supper.

Article Four
PURPOSE OF THE CHURCH

We confirm that our primary purpose is the communication of the Good News of salvation through faith in Jesus Christ to all persons as stated in Romans 1:16-17.
We endeavor to equip and enable each individual for this purpose through the provision of opportunities of worship, education, service, and fellowship as described in Ephesians 4: 11-16.

Article Five
GOVERNMENT OF THE CHURCH

The government of this church is vested in the body of believers who comprise it, owing allegiance only to its head and founder, the Lord Jesus Christ.

Persons duly received by the members shall constitute the membership. These members shall be individuals who have in common with the members their spiritual union with the Lord Jesus Christ and their agreement on the principles of faith contained in this document. These members, so bound together, regard one another as having equal rank and privilege as well as equal responsibility and obligation in fulfilling the purpose of this church as stated in Galatians 3:26-28.

All internal or external groups created and empowered by the church shall report to and be accountable only to the church, unless otherwise specified by church action under authority of this constitution.

At the same time, this body recognizes the rightful place of the state and pledges itself to the support of federal, state, and local governments in accordance with Romans 12:1-7 and I Peter 2:13-17.

Article Six
RELATIONSHIPS

This Church is subject to the control of no other civil or ecclesiastical body. However we recognize the benefits and sustain the obligations of mutual cooperation, which are common among Baptist churches, associations and conventions. Insofar, as practical, this body agrees to cooperate with and support the _____ Baptist Association, the state convention and the Southern Baptist Convention.

Article Seven
AMENDMENTS

This Constitution may be amended, modified or repealed under the following circumstances: the proposal must be read at one regular business meeting. The proposal must then be presented at the next regular business meeting for action by the church. The proposal must be approved by two-thirds majority vote of members present voting in the affirmative.

Article Eight
SOLE AUTHORITY

There shall be no worship, education, service by members or fellowship conducted which is in conflict with this constitution. The church shall not conduct any business transaction contrary to the Constitution.

All rules, regulations, bylaws and policies previously approved, if any, by this Church, in conflict with this Constitution are each and all hereby repealed, set aside and superseded.

This Constitution shall be and is, hereby established as the sole "Constitution" for this Church. No rules, regulations, bylaws or policies may be established which conflict with this constitution.

Article Nine
CHURCH COVENANT

Having been led, as we believe, by the Spirit of God to receive the Lord Jesus Christ as our Savior and Lord and on the profession of our faith, having been baptized by immersion in the name of the Father, and of the Son, and of the Holy Spirit, we do now in the presence of God and this assembly, most solemnly and joyfully enter into covenant with one another as one body in Christ.

We engage, therefore, by the aid of the Holy Spirit to walk together in Christian love; to strive for the advancement of this Church in knowledge, holiness, and comfort; to promote its prosperity and spirituality; to sustain its worship, ordinances, discipline, and doctrines; to contribute cheerfully and regularly to the support of the ministry, the expenses of the church, and the relief of the poor, and to the spreading of the gospel through all nations.

We also engage to maintain family and private devotions; to religiously educate our children; to seek the salvation of our kindred and acquaintances; to walk circumspectly in the world; to be just in our dealings, faithful in our engagements, and exemplary in our deportment; to be zealous in our efforts to advance the kingdom of our Savior.

We further engage to watch over one another in brotherly love; to remember one another in prayer; to aid one another in sickness and distress; to cultivate Christian sympathy in feeling and Christian courtesy in speech; to be slow to take offense, but always ready for reconciliation and mindful of the rules of our Savior to secure it without delay.

We moreover engage that when we remove from this place we will, as soon as possible, unite with some other church where we can carry out the spirit of this covenant and the principles of God's Word.

Article Ten
RATIFICATION

This constitution is hereby ordained and established for _____ _____ Church of _____, _____ by vote of the membership on _____, 20_____.

_____ _____

Moderator/Pastor Trustee/Deacon Chairman

(Scriptures referenced in the articles of this document are provided for review in the Appendix.)

BY-LAWS

ARTICLE ONE
CHURCH MEMBERSHIP

Section 1: General

This is a sovereign and democratic Baptist church under the lordship of Jesus Christ. The membership retains the exclusive right of self-government in all phases of the spiritual and temporal life of this church.

The membership reserves the exclusive right to determine who shall be members of this church and the conditions of such membership.

Section 2: Candidacy

Any person may offer themselves as a candidate for membership in this church. All such candidates shall be presented to the church at any regular church service for membership in any of the following ways:

(1) By profession of faith and for baptism according to the policies of this church.
(2) By promise of a letter of recommendation from another Baptist church.
(3) By restoration upon a statement of prior conversion experience and baptism in a Baptist church when no letter is obtained.

NOTE: Some churches include the following. If the church does not have a standing membership committee the procedure for electing or appointing such a committee should be spelled out in these By-Laws.

Should there be any dissent concerning any candidate, such dissent shall be referred to a membership committee for investigation and recommendation to the church within thirty (30) days. A three-fourths vote of those church members present and voting shall be required to elect such candidates to membership.

Section 3: New Member Orientation

New members of this church are expected to participate in the church's new member orientation.

Section 4: Rights of Members

1) Every member of the church is entitled to vote at all church business conferences provided the member is present or provision has been made for absentee balloting.
2) Every member of the church is eligible for consideration by the membership as candidates for elective offices in the church.
3) Every member of the church may participate in the ordinances of the church as administered by the church.

Section 5: Termination of Membership

Membership shall be terminated in the following ways: (1) death of the member, (2) transfer by

letter of recommendation to another Baptist church, (3) exclusion by action of this church, or (4) erasure upon request or proof of membership in a church of another denomination.

Section 6: Discipline

It shall be the practice of this church to emphasize to its members that every reasonable measure will be taken to assist any troubled member. The pastor, other members of the church staff, and deacons (elders) will be available for counsel and guidance. The attitude of members toward one another shall be guided by a concern for redemption and restoration rather than punishment.

Should some serious condition exist which would cause a member to become a liability to the general welfare and harmony of the church the pastor and the deacons (elders) will take prayerful and reasonable measures to resolve the problem following the principles found in Matthew 18:15-17. If it becomes necessary for the church to take action to exclude a member, a two-thirds vote of the members present is required; and the church may proceed to declare the person to no longer be in the membership of the church. All such proceedings shall be bathed in prayer and exhibit a spirit of Christian kindness and patience.

The church may restore to membership any person previously excluded upon request of the excluded person, and by vote of the church upon evidence of the excluded person's repentance.

Should there be a conflict within the church that involves issues between pastor, staff, deacons, and the church membership that could destroy or hinder the work of the church, the church will call for an outside mediator to work with the parties involved to make every reasonable attempt to resolve the conflict. The church should request a mediator before the problem escalates to the point it causes a break in the unity, harmony and fellowship of the congregation. Mediation services can be requested through the state convention offices.

ARTICLE TWO
CHURCH OFFICERS AND COMMITTEES

All who serve as officers of the church and those who serve on church committees shall be members of this church.

Section 1: Church Officers

The officers of this church shall be the pastor, the church staff as elected by the church, the deacons (elders), a moderator, a clerk, a treasurer, and trustees.

1) The pastor is responsible for leading the church to function as a New Testament church. The pastor has the responsibility to lead the congregation, the organizations, and the church staff to perform their tasks. The pastor will be expected to delegate appropriate responsibilities to others to insure the work of the church is done in a consistent manner.

   The pastor is leader of pastoral ministries in the church. As such he works with the deacons (elders) and the church staff to: (1) lead the church to carry out the mission and purpose of the church, (2) the proclamation of the gospel both inside and outside the church, (3) to provide appropriate care for both church members and persons in the community.

   A pastor shall be chosen and called by the church whenever a vacancy occurs. The election shall take place at a meeting called for that purpose. At least one week's public

notice shall be given before a candidate for pastor shall be presented for consideration.

A pastor search committee shall be elected by the church after prayerful consideration. Adequate time should be given to the process to help the church through the transition period.

NOTE: the church may wish to explore using an Interim Pastor during the time of transition. Churches that have had a pastor who served for more than ten years or have had major problems that led to the previous pastor leaving may want to enlist an Intentional Interim Pastor and work through the Intentional Interim Ministry process. Information about Intentional Interim Ministry and Pastors is available through your state convention offices. As you produce your By-Laws you may wish to address how the church will work through the interim time and what process you will use. If you decide to use the Intentional Interim Ministry process you may choose to elect your Pastor Search Committee after you are in the process.

1) The pastor search committee will have the responsible for seeking the person that will fulfill the pastor's role for the congregation. The recommendation of the pastor search committee will constitute a nomination. Any church member has the privilege of making other nominations depending on the policies and procedures established by the church. The committee shall bring for the consideration of the church only one name at a time. Election shall be by ballot, an affirmative vote of three fourths of those present and voting (unless previous arrangements are made for absentee balloting) is required to call (elect) the pastor.

   The individual called to fill the pastor's role shall serve until the relationship is terminated by their request or the church's request. The pastor shall preside at meetings of the church unless another staff member or church member has been designated to fill that role. If so designated the pastor may serve as moderator in all business meetings in keeping with the rules of order authorized in these bylaws.

   The pastor may relinquish the office of pastor by giving at least two weeks' notice to the church at the time of resignation.

   The church may declare the office of pastor to be vacant. Such action shall take place at a meeting called for that purpose with at least one week's public notice given. Such meeting should take place only after the church has followed the Matthew 18:15-17 principles and/or the church has sought help through mediation. The meeting may be called upon the recommendation of a majority of the personnel committee and the deacons or by written petition signed by not less than one fourth of the resident church members. The moderator for this meeting shall be designated by the members present and elected by majority vote. The moderator shall be someone other than the pastor. The vote to declare the office vacant shall be by secret ballot; an affirmative vote of two thirds of the members present being necessary to declare the office vacant. Except in instances of gross misconduct by the pastor so excluded from office, the church will compensate the pastor with not less than one twelfth of the pastor's annual compensation. The termination shall be immediate and the compensation shall be paid in not more than thirty days.

   NOTE: a common guide would be to give the pastor one month for each year served as pastor unless other circumstances apply.

2) The ministerial staff shall be called and employed as the church determines the need for such positions. A job description shall be written when the need for a new ministerial position is determined. Those staff members must show evidence of a personal call of God

to ministry and shall be recommended to the church by the personnel committee and approved by church action. At the time of resignation at least two weeks' notice shall be given to the church. The church may vote to vacate the position upon the recommendation of the personnel committee. The personnel committee is to follow the same principles and process used to terminate a pastor. Such termination will be immediate and compensation conditions shall be the same as for the pastor, except that the amount provided shall relate to the individual's annual compensation.

Non-ministerial staff members shall be employed as the church determines need for their services. The church personnel committee shall have the authority to employ and to terminate services of non-ministerial staff members. Such employment and termination of services shall be with the recommendation of the supervising staff member and, as appropriate, with the consultation of related committees of the church.

3) The church shall elect deacons by ballot at regular business meetings of the church. There shall be one deacon elected for assigned service for every twelve to fifteen families.

NOTE: Each church should determine the number of deacons needed according to the size and needs of the church. Rotation of deacons will also be determined by each church and should be used when possible.

Deacons shall serve on a rotation basis. Each year the assigned term of office of one third of the number of deacons shall expire, and election shall be held to fill vacancies and to add to the deacons such number as the church size warrants. In case of death or removal or incapacity to serve, the church may elect a deacon to fill the unexpired term. **(If a deacon rotation system is in place you may wish to add the following wording: After serving a term of three years' assignment, a deacon shall be eligible for reelection only after the lapse of at least one year.)** There shall be no obligation to recognize as an active deacon one who has been a deacon in another church; but in such instances his previous ordination by another church of like faith and order shall be recognized by this church. A deacon joining from another church shall not be elected to serve until a member of this church for one year.

In keeping with the meaning of the work and practice in the New Testament, deacons are to be servants of the church. Their task is to serve with the pastor and staff in performing the pastoral ministry tasks of: (1) leading the church in the achievement of its mission, (2) proclaiming the gospel to believers and unbelievers, and (3) caring for the church members and other persons in the community.

4) The church shall elect annually a moderator as its presiding officer. In the absence of the moderator, the chairman of deacons shall preside; or in the absence of both, the clerk shall call the church to order and preside for the election of an acting moderator.

5) The church shall elect annually a clerk as its clerical officer. The clerk shall be responsible for keeping a suitable record of all official actions of the church, except as otherwise provided in these by-laws. The clerk shall be responsible for keeping a register of names of members, with dates of admission, dismissals, death or erasure, together with a record of baptisms. The clerk shall issues of dismissal approved by the church, preserve on file all communications and written official reports, and give required notice of all meetings where notice is necessary, as indicated in these by-laws. The clerk shall be responsible for preparing the annual letter of the church to the association, state and national conventions.

The church may delegate some of the clerical responsibilities to a church secretary or ministry assistant who will assist the elected clerk. All church records are church property and shall be kept in the church office when an office is maintained.

6) The church shall elect annually a church treasurer as its financial officer. It shall be the duty of the treasurer to receive, preserve, and pay out, upon receipt of invoices or vouchers approved and signed by authorized personnel, all money or things of value paid or given to the church, keeping at all times an itemized account of all receipts and disbursements. It shall be the duty of the treasurer to provide to the church at each regular business meeting an itemized report of the receipts and disbursements during the period between business meetings. The treasurer's report and records shall be audited annually by an audit committee or public accountant. The treasurer shall be bonded, the church paying for the bond.

   Upon completion of the audit at the end of the fiscal year and its acceptance and approval by the church, the records shall be delivered by the treasurer to the church clerk, who shall Keep and preserve the account as a part of the permanent records of the church.

7) The church shall elect three or more trustees to serve as legal officers for the church. They shall hold in trust the church property. Upon a specific vote of the church authorizing each action, they shall have the power to buy, sell, mortgage, lease or transfer any church property. When the signatures of the trustees are required, they shall sign legal documents related to the above items only upon the approval and at the direction of the church body in business meeting.

   Trustees shall serve on a rotation basis, with one new trustee being elected each year for a three year term.

Section 2: Church Committees

The church body shall determine the number and types of committees that are needed to fulfill the mission of the church. Standing committees shall be elected annually upon the recommendation of the nominating committee or committee on committees. All committee members shall be elected by the church unless otherwise specified in these by-laws. Committee members shall serve on a three year rotation basis with one-third elected each year.

Committees of the church may include but are not limited to: Personnel Committee, Finance or Stewardship Committee, Missions Committee or Missions Development Council, Property and Space Committee, and any other regular and special committees as the church shall authorize.

1) The nominating committee coordinates the staffing of all church leadership positions to be filled by volunteer workers, unless otherwise stipulated in these by-laws. The nominating committee shall be elected annually and serves only for the year in which it is elected.
2) The personnel committee assists the church in matters related to employed personnel administration, including those called by church actions. This committee shall assist in determining staff needs, employment, salaries, benefits, other compensation, policies, job descriptions, and personnel services.
3) The finance or stewardship committee develops and recommends an overall stewardship development plan, and a unified church budget. It advises and recommends in the administration of the gifts of church members and others, using sound principles of financial management. It works with the treasurer in the preparation and presentation to the church the required reports regarding the financial affairs of the church.
4) The property and space committee assists the church in matters related to properties

administration. Its work includes such areas as maintain all church properties for ready use, recommending policies regarding use of properties, consulting with the personnel committee and the church staff regarding the need for, and the employment of, maintenance personnel, and regarding the assignment of supervisory responsibility to appropriate personnel.

5) The missions committee or mission development council seeks to discover possibilities for local mission projects, determines the need for new work, and recommends to the church actions needed in establishing or implementing mission projects as necessary.

ARTICLE THREE
CHURCH PROGRAM ORGANIZATIONS

The church shall maintain programs of Bible teaching, church member training, church leader training, new member orientation; mission education, action and support; and music education, training, and performance. All organization related to the church programs shall be guided by the church body. All officers shall be elected by the church and report regularly to the church. All program activities shall be subject to church coordination and approval. The church shall provide the human resources, the physical resources, and the financial resources for these programs.

Church programs shall include but are not limited to: Bible Study, Discipleship, Missions organization (WMU, Baptist Men, RA's, GA's, Mission Friends, and Church Music.

ARTICLE FOUR
CHURCH PROGRAM SERVICES

The church shall maintain media center and recreation services for the purpose of enriching and extending the ministries and programs of the church.

1) The media center will be the resource center for the church. Its personnel will seed to provide and promote the use of printed and audiovisual resources. They will also provide consultation to church leaders and members in the use of printed and audiovisual resources.
2) The church recreation service will seek to meet the recreational needs of members and groups. Its personnel will provide recreation activities, consultation, leadership assistance, and resources.

ARTICLE FIVE
CHURCH COUNCIL

The church council shall serve the church by leading in the planning, coordinating, conducting, and evaluating the ministries and programs of the church and its organizations.

The primary function of the church council shall be to recommend to the church suggested objectives and church goals; to review and coordinate ministry and program plans recommended by church officers, organization, and committees; to recommend to the church the use of leadership, calendar time, and other resources according to program priorities; and to evaluate achievements in terms of church objectives and goals.

The church council shall include the pastor, other church staff members, directors of church program organizations, chairman of deacons, church officers, and others the church feels are needed to accomplish the tasks.

All matters agreed upon by the council which call for action not already approved shall be

referred to the church for action.

ARTICLE SIX
CHURCH ORDINANCES

Section 1: Baptism

This church shall receive for baptism any person who has publicly professed faith in Jesus Christ as Savior during any worship service, and who indicates a commitment to follow Christ as Lord.

1) Baptism shall be by immersion in water
2) The pastor, or any one so designated by the church shall administer baptism
3) Baptism shall be administered as an act of worship during any worship service of the church
4) A person who professes Christ and is not baptized within a reasonable length of time shall be counseled by the pastor and/or staff or deacons. If the individual indicates that they are reluctant to follow the Lord in baptism their name shall be deleted from those awaiting baptism

Section 2: The Lord's Supper

The church shall observe the Lord's Supper _____, on the _____ Sunday of the _____, unless otherwise scheduled by the church. The observance shall alternate between the morning and evening services of worship. The pastor and deacons shall administer the Lord's Supper, the deacons shall be responsible for the physical preparations.

ARTICLE SEVEN
CHURCH MEETINGS

Section 1: Worship Services

The church shall meet regularly each Sunday morning, Sunday evening, and Wednesday evening for worship. The pastor shall direct the services.

Section 2: Special Services

Revival services and other church meetings essential to the advancement of the church's objectives shall be placed on the church calendar.

Section 3: Regular Business Meetings

The church shall hold regular business meeting monthly (bi-monthly or quarterly) on a designated _____. (specify day of week)

Section 4: Special Business Meetings

The church may conduct called business meetings to consider matters of special nature and significance. Notice of Special Called Business Meetings must be published and announced at least one week before the meeting is to take place, unless extreme urgency makes such notice impractical. The notice shall include the subject, date, time and place; and it must be given in a way that all resident members have opportunity to be made aware of the meeting.

Section 5: Quorum

The quorum consists of those members who attend the business meeting, provided it is a stated meeting or one that has been properly called.

Section 6: Parliamentary Rules

Roberts Rules of Order, Revised, is the authority for parliamentary rules of procedure for all business meetings of the church.

ARTICLE EIGHT
CHURCH FINANCES

Section 1: Budget

The finance or stewardship committee, in consultation with the church council, shall prepare and submit to the church for approval an inclusive budget, indicating by item the amount needed for local and other expenses. Offering envelopes will be provided for members.

It is understood that membership in this church involves financial obligation to support the church and its causes with regular, proportionate gifts.

Section 2: Accounting Procedures

All funds received for any and all purposes shall pass through the church treasurer, or financial secretary, and be properly recorded. Those who have responsibility that involves actual handling of funds shall be bonded, the church paying the bond. (See Article Two; Section 1; 6), regarding the church treasurer.

A system of accounting that will adequately provide for the handling of all funds shall be the responsibility of the finance or stewardship committee.

The treasurer or financial secretary shall provide an accurate accounting at the end of each year to those members who have contributed during the year.

ARTICLE NINE
CHURCH POLICY MANUAL

The church shall develop and keep updated a Church Policy Manual. This manual may be developed by a special committee or by the personnel committee as directed by the church. This manual should include church policies and procedures, organizational charts indicating lines of responsibility to be used in the administration of the church. The manual shall be maintained in the church office by the church secretary and made available for use by any member of the church. The church council, personnel committee or a special committee formed for that purpose, shall review the manual at least annually, and shall recommend changes for the church to consider at any regular or a called business meeting for that purpose. Any church member or church organization may initiate suggested changes in the manual.

Addition, revision, or deletion of church policies requires: (1) the recommendation of the church officer or organization to whose areas of assignment the procedures or policies relate, (2) approval by the church council, and (3) approval by the church.

ARTICLE TEN
AMENDMENTS

Changes in the constitution and by-laws may be made at any regular business meeting of the church provided each amendment shall have been presented in writing at a previous business meeting and copies of the proposed amendment shall have been furnished to each member present at the time the amendments were first presented. Amendments to the constitution shall be by a two-thirds vote of church members present. Amendments to the by-laws shall be adopted by a majority vote of the members present and voting.

ARTICLE ELEVEN
DISSOLUTION

In the event the church ceases to exist any remaining assets shall be conveyed to a similar non-profit organization qualifying for tax exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or as they may hereafter be amended.

NOTE: A church may wish to specify a preference regarding which entity would receive the assets of the church in the event of dissolution.

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